

TROY EDWARD HOLT §
v. § CIVIL ACTION NO. 6:09cv284
FEDERAL BUREAU OF PRISONS §

on his federal sentence. Holt filed a response to the answer arguing that he is entitled to the time credit because the state custody resulted from the commission of the federal offense.

After review of the pleadings, the Magistrate Judge issued a Report recommending that the petition be dismissed. The Magistrate Judge cited 18 U.S.C. §3585(b) and stated that because the time which Holt seeks has been credited against another sentence, he cannot get credit for the same time on his federal sentence.

A copy of this Report was sent to Holt's last known address, return receipt requested, but no objections have been received; accordingly, he is barred from *de novo* review by the district court of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings in the case and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge is ADOPTED as the opinion of the District Court. It is further

ORDERED that the above-styled application for the writ of habeas corpus be and hereby is DISMISSED with prejudice. Finally, it is

ORDERED that any and all other motions which may be pending in this cause are hereby DENIED.

So ORDERED and SIGNED this 5th day of April, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**